

2013 DRAFTING REQUEST

Assembly Joint Resolution

Received: 1/3/2013

Received By: **smiller**

Wanted: **As time permits**

Same as LRB:

For: **Keith Ripp (608) 266-3404**

By/Representing: **tyler wenzlaff**

May Contact:

Drafter: **smiller**

Subject: **Constitutional Amendments**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ripp@legis.wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of a department of transportation and a transportation fund (2nd Consideration)

Instructions:

see 2011 AJR 31 (LRB 11-0463)

See 13-0200

Change election date to Spring 2013.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 1/3/2013	csicilia 1/4/2013	rschluet 1/4/2013	_____			
/1	smiller 1/7/2013	csicilia 1/8/2013	phenry 1/8/2013	_____	sbasford 1/4/2013		
/2				_____	srose 1/8/2013	srose 1/17/2013	

FE Sent For:

<END>

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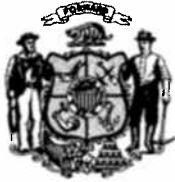
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/?	smiller	1/4 12	1/4 12				

FE Sent For:

<END>



TODAY

State of Wisconsin
2013 - 2014 LEGISLATURE

0989/1



LRB-0200/1-
-SRM:cjs:ro
SRM: gis:

ASSEMBLY

2013 ~~SENATE~~ JOINT RESOLUTION

in 1-3
FRIDAY

Gen Cat

- 1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV and
- 2 section 11 of article VIII of the constitution; **relating to:** creation of a
- 3 department of transportation, creation of a transportation fund, and deposit of
- 4 funds into the transportation fund (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2013 legislature for submittal to the voters in November 2014, was first considered by the 2011 legislature in 2011 Senate Joint Resolution 23, which became 2011 Enrolled Joint Resolution 4.

The amendment requires that the revenues generated by use of the state transportation system be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second

April 2013

consideration, it must also set the date for submitting the proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1 Whereas, the 2011 legislature in regular session considered a proposed
2 amendment to the constitution in 2011 Senate Joint Resolution 23, which became
3 2011 Enrolled Joint Resolution 4, and agreed to it by a majority of the members
4 elected to each of the two houses, which proposed amendment reads as follows:

SECTION 1. Section 9 of article IV of the constitution is renumbered section 9 (1) of article IV.

SECTION 2. Section 9 (2) of article IV of the constitution is created to read:

[Article IV] Section 9 (2) The legislature shall provide by law for the establishment of a department of transportation and a transportation fund.

SECTION 3. Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11. All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges, and from taxes and fees levied or imposed for aircraft, airline property, or aviation fuel or for railroads or railroad property shall be deposited only into the transportation fund or with a trustee for the benefit of the department of transportation or the holders of transportation-related revenue bonds, except for collections from taxes or fees in existence on December 31, 2010, that were not being deposited in the transportation fund on that date. None of the funds collected or received by the state from any source and deposited into the transportation fund shall be lapsed, further transferred, or appropriated to any program that is not directly administered by the department of transportation in furtherance of the department's responsibility for the planning, promotion, and protection of all transportation systems in the state except for programs for which there was an appropriation from the transportation fund on December 31, 2010. In this section, the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or watercraft.

SECTION 4. Numbering of new provision. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

1

Now, therefore, be it resolved by the ~~senate, the~~ assembly concurring,

2

That the foregoing proposed amendment to the constitution is agreed to by the 2013

3

legislature; and, be it further

4

Resolved, That the foregoing proposed amendment to the constitution be

5

submitted to a vote of the people at the election to be held on the ^{first} Tuesday ~~after the~~

6

~~first Monday in November 2014~~; and, be it further

in April 2013

7

Resolved, That the question concerning ratification of the foregoing proposed

8

amendment to the constitution be stated on the ballot as follows:

9

QUESTION 1: "Creation of a Transportation Fund. Shall section 9 (2) of

10

article IV and section 11 of article VIII of the constitution be created to create a

11

department of transportation and a transportation fund and require all revenues

12

generated by the state transportation system to be deposited into the transportation

13

fund?"

14

(END)

Miller, Steve

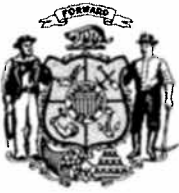
From: DeBeck, Elisabeth
Sent: Monday, January 07, 2013 12:32 PM
To: Miller, Steve
Subject: LRB -0989/1

Good afternoon Steve,

We received the LRB -0989/1 draft, Topic: Creation of a department of transportation and a transportation fund (2nd Consideration), and we would like it re-drafted to match LRB 0200/1. Please let me know if you need any more information!

It's my first day, so let me know if this request needs to come from Representative Ripp's account. I'm still learning! ☺

Elisabeth DeBeck
Office of Wisconsin State Representative Keith Ripp
42nd Assembly District



stays

2013 ASSEMBLY JOINT RESOLUTION

in 1-7

Gen. Cot

- 1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV and
- 2 section 11 of article VIII of the constitution; **relating to:** creation of a
- 3 department of transportation, creation of a transportation fund, and deposit of
- 4 funds into the transportation fund (second consideration).

Analysis by the Legislative Reference Bureau

November 2014

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2013 legislature for submittal to the voters in ~~April 2013~~, was first considered by the 2011 legislature in 2011 Senate Joint Resolution 23, which became 2011 Enrolled Joint Resolution 4.

The amendment requires that the revenues generated by use of the state transportation system be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second

consideration, it must also set the date for submitting the proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1 Whereas, the 2011 legislature in regular session considered a proposed
2 amendment to the constitution in 2011 Senate Joint Resolution 23, which became
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[Article VIII] Section 11. All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges, and from taxes and fees levied or imposed for aircraft, airline property, or aviation fuel or for railroads or railroad property shall be deposited only into the transportation fund or with a trustee for the benefit of the department of transportation or the holders of transportation-related revenue bonds, except for collections from taxes or fees in existence on December 31, 2010, that were not being deposited in the transportation fund on that date. None of the funds collected or received by the state from any source and deposited into the transportation fund shall be lapsed, further transferred, or appropriated to any program that is not directly administered by the department of transportation in furtherance of the department's responsibility for the planning, promotion, and protection of all transportation systems in the state except for programs for which there was an appropriation from the transportation fund on December 31, 2010. In this section, the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or watercraft.

SECTION 4. Numbering of new provision. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

*Now, therefore, be it resolved by the assembly, the senate concurring, **That** the foregoing proposed amendment to the constitution is agreed to by the 2013 legislature; and, be it further*

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the ~~first~~ Tuesday ~~in April~~ ²⁰¹⁴; and, be it further

Resolved, That the question concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: “Creation of a Transportation Fund. Shall section 9 (2) of article IV and section 11 of article VIII of the constitution be created to create a department of transportation and a transportation fund and require all revenues generated by the state transportation system to be deposited into the transportation fund?”

(END)

after the first Monday
in November 2014

Rose, Stefanie

From: DeBeck, Elisabeth
Sent: Thursday, January 17, 2013 12:37 PM
To: LRB.Legal
Subject: Draft Review: LRB -0989/2 Topic: Creation of a department of transportation and a transportation fund (2nd Consideration)

Please Jacket LRB -0989/2 for the ASSEMBLY.

Elisabeth DeBeck
Office of Representative Keith Ripp
42nd Assembly District